

501-1049

BK 1425 PG 0231

## SUBORDINATION AGREEMENT

This agreement, dated this the 24th day of October, 2001, between Sandra J. Smock and David A. Smock and First Tennessee Bank.

## W I T N E S S E T H

WHEREAS, First Tennessee Bank is the holder of a lien on certain real property, which is represented by that certain Land Deed of Trust, executed by Sandra J. Smock and David Smock, to Thomas F. Baker, IV, for the use and benefit of First Tennessee Bank, dated June 30, 2000, and recorded in the office of the Chancery Clerk of DeSoto County, Mississippi, in Book 1229, at Page 618, and

NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00), cash in hand paid and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, First Tennessee Bank hereby agrees that any interest he may now or hereafter have shall be second and subordinate to the interest of the holder of that certain Deed of Trust dated Nov. 5, 2001, from Sandra J. Smock and husband David A. Smock, Grantor, to Guaranty Residential Lending, Beneficiary, recorded in Book 1408, Page 274, in the records in the office of the aforesaid Chancery Clerk, which lien will at all times be prior and superior to the lien of the undersigned.

Except as specifically modified herein, all covenants, agreements, restrictions, rights, privileges and obligations of the herein subordinated lien shall remain in full force and effect, and nothing contained in this instrument or any instrument referred to herein shall operate, or be construed to operate, as a waiver of any right, title, or interest now held by any of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Subordination Agreement on the day and year first above written

Sandra J. Smock  
SANDRA J. SMOCK

David A. Smock  
DAVID A. SMOCK

FIRST TENNESSEE BANK

BY:

DT Chnain V.P.

STATE MS.-DE SOTO CO. *an*  
FILED

DEC 10 3 42 PM '01

BK 1425 PG 231  
W.E. H. CHANCERY CLERK

BK 1425PG0232

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, Sandra J. Smock and David A. Smock, who acknowledged that they signed and delivered the above and foregoing Subordination Agreement as their free and voluntary act and deed and for the purposes therein expressed.

Given under my hand and official seal of office, this the 24th day of October, 2001.

*Martin C. Tugger*  
NOTARY PUBLIC

My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES NOV 27, 2003  
BONDED THRU STEGALL NOTARY SERVICE

STATE OF TENNESSEE  
COUNTY OF SHELBY

Personally appeared before me, the undersigned authority in and for the said County and State, the within my jurisdiction, the within named VICE-PRESIDENT, who acknowledged that he is GEORGE T. CLINARD of First Tennessee Bank, and that for and on behalf of the said corporation, and as its act and deed, signed, sealed and delivered the above and foregoing Subordination Agreement for the purposes mentioned on the day and year therein mentioned, after first having been duly authorized by said corporation so to do.

Given under my hand and official seal this the 24 day of OCTOBER, 2001.

*Sara Jordan*  
NOTARY PUBLIC

My Commission Expires:

9-8-03

Prepared by:  
Austin Law Firm, P.A.  
6928 Cobblestone Drive, Suite 100  
Southaven, MS 38672  
662-890-7575